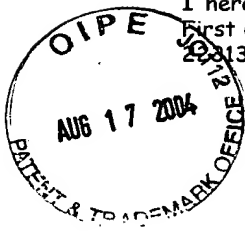


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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on August 10, 2004.

By Leon S. Tuck
Leon S. Tuck

Date: August 10, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): **Zohar Yakhini, et al.,** Group Art Unit: **1634**
Serial No.: **09/938,937** Examiner: **Bradley R. Sisson**
Filed: **August 24, 2001**
Title: **"Use of Unstructured Nucleic Acids in Assaying Nucleic Acid Molecules"**
Atty Docket: **10003516-1**

Commissioner for Patents
P. O. 1450
Alexandria, VA 22313-1450

RESTRICTION

Sir:

This is in response to the Office Action dated July 20, 2004 subjecting Claims 1-16 to Restriction in the above-identified patent application.

Restriction is required under 35 U.S.C 121 between the following groups of claims:

- Group I: Claims 1-9, drawn to a system for assaying nucleic acids; and claims 15-16, drawn to a kit, classified in class 435, subclass 287.2.
- Group II: Claims 10-14, drawn to a method of assaying target nucleic acids, classified in class 436, subclass 94.

Applicants hereby elect to prosecute the Group II set of claims (10-14) without traverse.

Respectfully submitted,

ZOHAR YAKHINI, ET AL.,
By Michael J. Beck
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